

Hon. Thomas S. Zilly

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

ESTHER HOFFMAN; et al.,

Plaintiffs,

VS.

TRANSWORLD SYSTEMS
INCORPORATION; et al.,

Defendants.

No. 2:18 cv 1132-TSZ

STIPULATED MOTION AND
ORDER SETTING SCHEDULE FOR
DEFENDANTS TO AMEND
AFFIRMATIVE DEFENSES AND
ANY RELATED MOTION TO
STRIKE

I. STIPULATED MOTION

Pursuant to LCR 7(d)(1) and LCR 10(g), Plaintiffs and Defendants stipulate to and jointly request the Court to enter an order setting a schedule for Defendants to file amended answers revising their affirmative defenses and for Plaintiffs to file any motion to strike the revised affirmative defenses. In support of this motion, the parties stipulate as follows:

1. The Court set a date of March 23, 2021, as the deadline for Defendants to file their respective responses to Plaintiffs' Second Amended Complaint. Dkt. #127.

STIPULATED MOTION AND ORDER SETTING
SCHEDULE - 1
2:18 cv 1132-TSZ
54298119.1

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1 2. Defendants filed their answers on March 23, 2021. Dkt. #139 (Defendants
2 Cheung and Patenaude & Felix APC); Dkt. # 140 (Trust Defendants); Dkt. #141
3 (Transworld Systems Incorporated). Each of the answers included affirmative defenses.
4

5 3. Plaintiffs have filed a motion for leave to file a motion to strike affirmative
6 defenses contained in the answers. Dkt. #147. Their filing included the proposed
7 motion to strike. Dkt. #148.

8 4. The parties have met and conferred and have agreed that (a) Plaintiffs will
9 withdraw their motion for leave; (b) Defendants shall file amended answers containing
10 revised affirmative defenses by not later than 21 days after entry of an order approving
11 this stipulation; (c) if Plaintiffs seek to strike any of the revised affirmative defenses,
12 they shall file a motion to strike under CR 12(f) by not later than 21 days after the
13 amended answers are filed; and (d) any motion to strike will be noted for the fourth
14 Friday after the motions are filed under LCR 7(d)(3).

15 SO STIPULATED this 11th day of May, 2021.

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II. ORDER GRANTING STIPULATED MOTION

18 The Court having considered the stipulation and joint request of the parties and
19 being fully informed,

20 IT IS HEREBY ORDERED THAT:

21 1. Plaintiffs' Motion for Leave to File Motion to Strike (Dkt. #147) is removed
22 from the calendar;

23 2. Defendants shall file amended answers with revised affirmative defenses
24 on or before June 3, 2021;

25 3. Plaintiffs shall file any motion to strike regarding the revised affirmative
26 defenses not later than 21 days after the amended answers are filed; and

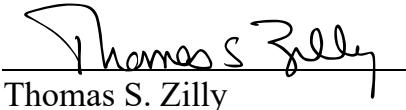
STIPULATED MOTION AND ORDER SETTING
SCHEDULE - 4
2:18 cv 1132-TSZ
54298119.1

FOSTER GARVEY PC
1111 THIRD AVENUE, SUITE 3000
SEATTLE, WASHINGTON 98101-3296
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1
2 4. Any such motion to strike shall be noted for consideration on the fourth
3 Friday after the motion is filed.

4 Dated this 14th day of May, 2021

5 The Clerk is directed to send a copy of this Order to all counsel of record.

6
7 
8 _____
9 Thomas S. Zilly
10 United States District Judge

11 Presented by:

12 FOSTER GARVEY PC
13 _____
14 /s/ *Tim J. Filer*
15 Tim J. Filer, WSBA #16285
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19 Email: tim.filer@foster.com